

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12353 of 2019

Abdul Bari @ Abdul Rajji, Son of Mounul Haque @ Mounul Haq, Resident
of Village- Masoudha, P.S.- Kundwa Chainpur, District- East Champaran.
... .. Petitioner/s

Versus

1. The State of Bihar through Director General of Police, Government of Bihar, Patna.
2. The Director General of Police, Government of Bihar, Patna.
3. The Commissioner Excise Dept., Govt. of Bihar, Patna.
4. The District Magistrate, East Champaran, Motihari, District- East Champaran, Motihari.
5. The Excise Superintendent, East Champaran, Motihari, District- East Champaran, Motihari.
6. The Officer- in Charge, Dhaka, District- East Champaran, Motihari,
... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra
For the Respondent/s : Mr.Vikash Kumar (SC-11)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 21-01-2020

Ref.: I.A. No. 1 of 2019

The present interlocutory has been filed for correction
in the cause title of the writ petition.

Considering the nature of amendment sought for, I.A.
No. 1 of 2019 is allowed. The details of the petitioner in order
no.2, dated 11.09.2019, be read as “Abdul Bari @ Abdul Rajji,
Son of Mounul Haque @ Mounul Haq, Resident of Village-
Masoudha, P.S.- Kundwa Chainpur, District- East Champaran”
in place of “Abdul Bari @ Abdul Rajji, Son of Mounul Haque
@ Mounul Haq, Resident of Village- Masoudha, P.S.- Dhaka,
District- East Champaran.”



C.W.J.C. No. 12353 of 2019

Heard learned counsel for the petitioner and the respondents.

The petitioner prays for release of PIAGGIO Auto Rickshaw, bearing registration no. BR 05PA 1485, which has been seized in connection with Dhaka P. S. Case No. 259 of 2016 registered for the offences punishable under Sections 272/273 of the Indian Penal Code and Section 47(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner invites our attention to the order dated 18th January, 2020 passed in CWJC No. 3245 of 2017 titled as Manish Kumar Chaudhary Vs. The State of Bihar & Ors. and prays for disposal in terms thereof.

As such, as prayed for, on mutually agreed terms, we dispose of the present petition in terms of the order dated 18th January, 2020 passed in CWJC No. 3245 of 2017 titled as Manish Kumar Chaudhary Vs. The State of Bihar & Ors. making the terms contained therein, applicable *mutatis mutandis*, insofar as applicable, also to the instant petition. The terms of the said order shall be deemed to have been incorporated and read as a part and parcel of the present order.

It shall be obligatory on the part of the instant parties to place on record of the authorities under the provision of the Bihar Prohibition and Excise Act, 2016, a copy of not only the



order passed in the instant petition, but also that of CWJC No. 3245 of 2017 titled as Manish Kumar Chaudhary Vs. The State of Bihar & Ors. which can be conveniently downloaded from the internet.

No order as to costs.

Petition stands disposed off in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

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